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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff- Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MELVIN B. NESSEL 2006 TRUST U/A/D  
3/14/06; MELVIN B. NESSEL REVOCABLE  
TRUST; PAUL RAMPELL, in his capacity as  
Former Trustee for the Melvin B. Nessel Revocable

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04351 (SMB)

Trust and as former co-Trustee of the Melvin B. Nessel 2006 Trust u/a/d 3/14/06; NORTHERN TRUST N.A., in its capacity as successor Trustee of the Melvin B. Nessel 2006 Trust u/a/d 3/14/06; GAIL NESSEL; MICHAEL LIEB; and ROBERT LIEB,

Defendants.

**CERTIFICATE OF NO OBJECTION OF TRUSTEE'S MOTION FOR ENTRY OF AN ORDER PURSUANT TO SECTION 105(a) OF THE BANKRUPTCY CODE AND RULES 2002 AND 9019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE APPROVING SETTLEMENT AGREEMENT AND RELEASE BY AND AMONG THE TRUSTEE AND MELVIN B. NESSEL TRUST U/A/D/ 3/14/06, THE NORTHERN TRUST COMPANY, PAUL RAMPPELL, GAIL NESSEL, JOHN NESSEL, AND GREGORY ANTONIAZZI**

Irving H. Picard (the "Trustee"), as trustee for the liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-lll ("SIPA")<sup>1</sup> and the substantively consolidated chapter 7 estate of Bernard L. Madoff ("Madoff," and together with BLMIS, the "Debtors"), by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On August 17, 2017, the Trustee filed the Motion for Entry of an Order Pursuant to Section 105(a) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure Approving Settlement Agreement by an among the Trustee and Melvin B. Nessel Trust u/a/d 3/14/06, The Norther Trust Company, Paul Rampell, Gail Nessel, John Nessel, and Gregory Antoniazzi (the "Motion") (Adv. Pro. No. 10-04351(SMB), ECF 76).

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<sup>1</sup> Further citations to SIPA will omit "15 U.S.C." and refer only to the relevant sections of SIPA.

2. The deadline for filing objections to the Motion expired on September 13, 2017 at 4:00 p.m. (ET). A hearing on the Motion has been scheduled for September 20, 2017 at 10:00 a.m. (ET).

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) defendants in the adversary proceeding; (ii) all parties included in the Master Service list as defined in the Order Establishing Notice Procedures (ECF No. 4560); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the Acting United States Attorney for the Southern District of New York; and (vii) SIPC, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel has reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file an objection and, to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of the proposed order (the "Order"), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court, along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests  
that the Order be entered without a hearing.

Dated: New York, New York  
September 18, 2017

Respectfully submitted

/s/ Matthew B. Lunn

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